HOUSE BILL No. 1277

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-33-13.

Synopsis: Wagering taxes. Provides that a riverboat located in a historic hotel district is subject to a wagering tax of 5% of the riverboat's adjusted gross receipts rather than the graduated tax imposed under current law.

Effective: July 1, 2015.

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January 13, 2015, read first time and referred to Committee on Public Policy.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1277

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 4-33-13-1, AS AMENDED BY P.L.229-2013
SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2015]: Sec. 1. (a) This section does not apply to a riverboa
that has implemented flexible scheduling under IC 4-33-6-21.
(b) Subject to section 1.5(i) 1.5(k) of this chapter, a tax is imposed

- (b) Subject to section 1.5(j) 1.5(k) of this chapter, a tax is imposed on the adjusted gross receipts received from gambling games authorized under this article at the rate of twenty-two and five-tenths percent (22.5%) of the amount of the adjusted gross receipts.
- (c) The licensed owner shall remit the tax imposed by this chapter to the department before the close of the business day following the day the wagers are made.
- (d) The department may require payment under this section to be made by electronic funds transfer (as defined in IC 4-8.1-2-7(e)).
- (e) If the department requires taxes to be remitted under this chapter through electronic funds transfer, the department may allow the



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1	licensed owner to file a monthly report to reconcile the amounts
2	remitted to the department.
3	(f) The department may allow taxes remitted under this section to
4	be reported on the same form used for taxes paid under IC 4-33-12.
5	SECTION 2. IC 4-33-13-1.5, AS AMENDED BY P.L.229-2013,
6	SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7	JULY 1, 2015]: Sec. 1.5. (a) This section applies only to a riverboat
8	that has implemented flexible scheduling under IC 4-33-6-21 or
9	IC 4-33-6.5.
10	(b) This subsection applies only to a riverboat that is located in a
11	county adjacent to Lake Michigan or the Ohio River and received
12	at least seventy-five million dollars (\$75,000,000) of adjusted gross
13	receipts during the preceding state fiscal year. A graduated tax is
14	imposed on the adjusted gross receipts received from gambling games
15	authorized under this article as follows:
16	(1) Fifteen percent (15%) of the first twenty-five million dollars
17	(\$25,000,000) of adjusted gross receipts received during the
18	period beginning July 1 of each year and ending June 30 of the
19	following year.
20	(2) Twenty percent (20%) of the adjusted gross receipts in excess
21	of twenty-five million dollars (\$25,000,000) but not exceeding
22	fifty million dollars (\$50,000,000) received during the period
23	beginning July 1 of each year and ending June 30 of the following
24	year.

- (3) Twenty-five percent (25%) of the adjusted gross receipts in excess of fifty million dollars (\$50,000,000) but not exceeding seventy-five million dollars (\$75,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year.
- (4) Thirty percent (30%) of the adjusted gross receipts in excess of seventy-five million dollars (\$75,000,000) but not exceeding one hundred fifty million dollars (\$150,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year.
- (5) Thirty-five percent (35%) of all adjusted gross receipts in excess of one hundred fifty million dollars (\$150,000,000) but not exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the following year.
- (6) Forty percent (40%) of all adjusted gross receipts exceeding six hundred million dollars (\$600,000,000) received during the period beginning July 1 of each year and ending June 30 of the



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1	following year.
2	(c) This subsection applies only to a riverboat that is located in a
3	county adjacent to Lake Michigan or the Ohio River and received
4	less than seventy-five million dollars (\$75,000,000) of adjusted gross
5	receipts during the preceding state fiscal year. A graduated tax is
6	imposed on the adjusted gross receipts received from gambling games
7	authorized under this article as follows:
8	(1) Five percent (5%) of the first twenty-five million dollars
9	(\$25,000,000) of adjusted gross receipts received during the
10	period beginning July 1 of each year and ending June 30 of the
11	following year.
12	(2) Twenty percent (20%) of the adjusted gross receipts in excess
13	of twenty-five million dollars (\$25,000,000) but not exceeding
14	fifty million dollars (\$50,000,000) received during the period
15	beginning July 1 of each year and ending June 30 of the following
16	year.
17	(3) Twenty-five percent (25%) of the adjusted gross receipts in
18	excess of fifty million dollars (\$50,000,000) but not exceeding
19	seventy-five million dollars (\$75,000,000) received during the
20	period beginning July 1 of each year and ending June 30 of the
21	following year.
22	(4) Thirty percent (30%) of the adjusted gross receipts in excess
23	of seventy-five million dollars (\$75,000,000) but not exceeding
24	one hundred fifty million dollars (\$150,000,000) received during
25	the period beginning July 1 of each year and ending June 30 of
26	the following year.
27	(5) Thirty-five percent (35%) of all adjusted gross receipts in
28	excess of one hundred fifty million dollars (\$150,000,000) but not
29	exceeding six hundred million dollars (\$600,000,000) received
30	during the period beginning July 1 of each year and ending June
31	30 of the following year.
32	(6) Forty percent (40%) of all adjusted gross receipts exceeding
33	six hundred million dollars (\$600,000,000) received during the
34	period beginning July 1 of each year and ending June 30 of the
35	following year.
36	(d) The licensed owner or operating agent of a riverboat taxed under
37	subsection (c) shall pay an additional tax of two million five hundred
38	thousand dollars (\$2,500,000) in any state fiscal year in which the
39	riverboat's adjusted gross receipts exceed seventy-five million dollars
40	(\$75,000,000). The additional tax imposed under this subsection is due
41	before July 1 of the following state fiscal year.
42	(e) This subsection applies only to a riverboat that is located in
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1	a historic hotel district. A tax is imposed on the adjusted gross
2	receipts received from gambling games authorized under this
3	article at the rate of five percent (5%) of the amount of the
4	adjusted gross receipts.
5	(e) (f) The licensed owner or operating agent shall remit the tax
6	imposed by this chapter to the department before the close of the
7	business day following the day the wagers are made.
8	(f) (g) The department may require payment under this section to be
9	made by electronic funds transfer (as defined in IC 4-8.1-2-7(f)).
10	(g) (h) If the department requires taxes to be remitted under this
11	chapter through electronic funds transfer, the department may allow the
12	licensed owner or operating agent to file a monthly report to reconcile
13	the amounts remitted to the department.
14	(h) (i) The department may allow taxes remitted under this section
15	to be reported on the same form used for taxes paid under IC 4-33-12.
16	(i) (j) If a riverboat implements flexible scheduling during any part
17	of a period beginning July 1 of each year and ending June 30 of the
18	following year, the tax rate imposed on the adjusted gross receipts
19	received while the riverboat implements flexible scheduling shall be
20	computed as if the riverboat had engaged in flexible scheduling during
21	the entire period beginning July 1 of each year and ending June 30 of
22	the following year.
23	(j) (k) If a riverboat:
24	(1) implements flexible scheduling during any part of a period
25	beginning July 1 of each year and ending June 30 of the following
26	year; and
27	(2) before the end of that period ceases to operate the riverboat
28	with flexible scheduling;
29	the riverboat shall continue to pay a wagering tax at the tax rates
30	imposed under subsection (b) until the end of that period as if the
31	riverboat had not ceased to conduct flexible scheduling.
32	SECTION 3. [EFFECTIVE JULY 1, 2015] (a) IC 4-33-13-1.5, as
33	amended by this act, applies to adjusted gross receipts received
34	from gambling games conducted after June 30, 2015.

(b) This SECTION expires July 1, 2016.

